

[Enclosed, D.O.No. 32/52/EC/04, dated 24th June, 2004 of Shri D.C.Gupta, Finance Secretary, Government of India, Ministry of Finance, Department of Economic Affairs, New Delhi regarding Foreign Visits of Government Officials.]

No.TRN-1104/C.R.342/2004/X,
General Administration Department,
Mantralaya, Mumbai – 400 032.

Date : 23.8.2004.

Copy for information and necessary action :-

1. The Additional Chief Secretary (Home), Home Department,
2. The Additional Chief Secretary (Forests), Revenue and Forest Department,
3. All Departments of Mantralaya,
4. General Administration Department / Desk 1, 9, 9-A, 10-A, 11 & 21,
5. All I.A.S. officers (Maharashtra Cadre) (By Name),
6. Select File.

[Milind Kulkarni]
Section Officer
General Administration Department

**GOVERNMENT OF INDIA
MINISTRY OF FINANCE
DEPARTMENT OF ECONOMIC AFFAIRS
NEW DELHI**

**D.O. No. 32/52/EC/04,
24th June, 2004**

Dear

Cabinet Secretariat's letter No. 21/1/1/81-Cab dated 16th th August, 1982 and Deptt of Economic Affairs letter No. 1/7/EC/84 dated 17th December, 1985 prescribe guidelines and procedures to be followed by the State Governments for the foreign visits of Chief Ministers/Ministers/MLAs/State Government Officials. These guidelines stipulate that proposals of foreign visits should be submitted to this Department at least 2 months before the date of departure in order to process these proposals in consultation with the Ministry of External Affairs (political angle), concerned administrative Ministry (essentiality angle) and Ministry of Home Affairs (from Foreign Contribution Regulation Act angle). After obtaining the advice of these Ministries, proposals of Chief Ministers, Ministers and MLAs are submitted for the consideration and approval of the Prime Minister. This Department has written to the Chief Secretaries of all the State Governments time and again to comply with these guidelines, but of late, it has been observed that these guidelines are not being adhered to.

The Principal Secretary to PM in his letter dated 14th June, 2004 has stressed upon the need that the State Governments must strictly follow the existing guidelines for scheduling foreign visits. Prior scrutiny by the Administrative Ministry concerned and the Ministry of External Affairs would be necessary for visits abroad. Proposals without their recommendations would not be considered. To avoid any embarrassment on account of last minute cancellation, no scheduling of visits should be finalized with foreign Governments either directly or through our diplomatic missions prior to obtaining the Prime Minister's approval. Therefore, Prime Minister's clearance should be sought well in advance. Except in exceptional circumstances proposals seeking approval of the Prime Minister should be initiated with the Ministry/Department concerned at least two months in advance so that sufficient time is available for arranging the visits after obtaining the requisite approval.

I once again request you to please ensure that proposals for the foreign visits of Chief Ministers/Ministers/MLAs/State Government Officials should be submitted two months before the date of departure to this Department so that these could be processed and submitted to the Prime Minister for his consideration well before time

Yours sincerely,

**Sd/-
(D.C. Gupta)**

[Enclosed, LETTER No.11020/02/2003-AIS-III, dated 14th June 2004 of the Government of India, Ministry of Personnel, Public Grievances & Pensions, Department of Personnel & Training, New Delhi regarding grant of leave for the purpose of study within India under Regulation 3 (4) (ii) of the AIS (Study Leave) Regulations, 1960.]

No.TRN-1004/C.R.340/2004/X,
General Administration Department,
Mantralaya, Mumbai – 400 032.

Date : 23.8.2004.

Copy for information and necessary action :-

1. The Additional Chief Secretary (Home), Home Department,
2. The Additional Chief Secretary (Forests), Revenue and Forest Department,
3. All Departments of Mantralaya,
4. General Administration Department / Desk 1, 9, 9-A, 10-A,
5. All I.A.S. officers (Maharashtra Cadre) (By Name),
6. Select File.

[Milind Kulkarni]
Section Officer
General Administration Department

No 1 1020/02/2003-AIS-III
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

New Delhi, Dated 14th June 2004.

To

The Chief Secretaries of all the State Governments /
Union Territories

**Sub:- Grant of leave for the purpose of study within
India under Regulation 3(4)(ii) of the AIS (Study
Leave) Regulations, 1960.**

Sir,

This Department has been receiving proposals wherein the State Government as well as Ministries of the Central Government have been recommending grant of Study Leave or other kind of leave for the purpose of study even in case of those members of the All India Services who will complete 30 years of qualifying service or attain 50 years of age within three years of the date on which they are expected to return to duty after the expiry of the leave.

2. It has, therefore, been decided that the upper age limit as prescribed in Regulation 3(4)(ii) of the AIS (Study' Leave) Regulations, 1960 may be relaxed and Study Leave may be granted to a Member of the Service who is not due to reach the age of superannuation from the Government service within three years from the date on which he is expected to return to duty after the expiry of leave as per provisions of amendment to the Regulations (copy enclosed).

3. It has now been decided that the Central Ministries/State Governments should follow the following executive instructions delegating powers for waiver of upper age limit for grant of Study Leave to Members of All India Service within the country:

“The powers of waiver of upper age limit for grant of Study Leave within the country is delegated to the State Governments and to the Ministries/Departments with the concurrence of the State Government, subject to provisions of the AIS (Study Leave) Regulations, 1960 and guidelines for tenure and cooling off prescribed by the EO Division of DOP&T from time to time”.

4. It is requested that the aforementioned instructions may please be brought to the notice of all the Members of the All India Services working in the Central Ministries/State Governments.

Your faithfully,
Sd/-

(AQEEL AHMAD)
DEPUTY SECRETARY TO THE GOVT. OF INDIA
Tele.No.23092285

To
All Ministries / Departments to the Government of India.

Existing Provision under Regulations 3(4)(ii) of AIS (Study Leave) Regulations, 1960	Proposed Amendment in Regulation 3(4)(ii) of AIS (Study Leave) Regulations, 1960
Study leave shall not be granted to a member of the service who will complete 30 years of qualifying service or attain 50 years of age within three years of the date on which he is expected to return to duty after the expiry of the leave,	Study leave may be granted to a member of the service who is not due to reach the age of superannuation from the Government service within three years from the date on which he is expected to return to duty after the expiry of the leave.

Executive Instruction

The powers of waiver of upper age limit for grant of study leave within the country is delegated to State Governments and to the Ministries/Departments with the concurrence of the State Government subject to provisions of the AIS (Study Leave) Regulations and guidelines for the tenure and cooling off prescribed by EO Division of DOP&T from time to time.

[Enclosed, Letter No.11059/7/2003-AIS(III), dated 11th November, 2003 of the Government of India, Ministry of Personnel, Public Grievances & Pensions, Department of Personnel & Training, New Delhi regarding treatment of the period of Earned Leave taken by a member of Service during the period of report, for the purpose of computing 3 months under Rule 5(4) of AIS (CR) Rules,1970.]

No.CPF-1004/C.R. 355 /2004/X,
General Administration Department,
Mantralaya, Mumbai – 400 032.

Date : 26.8.2004.

Copy for information and necessary action :-

7. The Additional Chief Secretary (Forests), Revenue and Forest Department,
8. The Additional Chief Secretary (Home), Home Department,
9. All Departments of Mantralaya,
10. General Administration Department / Desk 1, 9, 9-A & 10-A,
11. All I.A.S. officers (Maharashtra Cadre) (By Name),
12. Select File.

[Milind Kulkarni]
Section Officer
General Administration Department

No.11059/7/2003-AIS(III)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

New Delhi, 11th November, 2003.

To

The Chief Secretaries
All State Government/UTs

Subject:- Treatment of the period of Earned Leave taken by a member of Service during the period of report, for the purpose of computing 3 months under Rule 5(4) of AIS (CR) Rules, 1970.

Sir,

I am directed to state that as per rule 5(4) of AIS(CR) Rules, 1970 where the Reporting /Reviewing/ Accepting authorities have not seen the performance of a member of the Service for at least three months during the period for which the report is to be written, an entry to that effect shall be made in the confidential report for any such period by Government.

2. In case of training, it has been clarified vide letter No.11059/3/91-AIS(III) that since a member of Service would not be physically present during the period of training and his performance cannot be observed by the Reporting /Reviewing/ Accepting authorities, that period of training should be excluded from the period of Report.

3. On the analogy of aforementioned instructions, it has been decided that where an officer has taken Earned Leave for a long period, which is being defined as more than 15 days, the total period spent on leave can be deducted from the total period spent on any post, for purposes of computing the period of three months which is relevant for writing of entries under Rule 5(4) of AIS (CR) Rules, 1970. Leave taken for a shorter duration need not be treated as relevant for the purpose.

Yours faithfully,
Sd/-

(AQEEL AHMAD)

DEPUTY SECRETARY TO THE GOVERNMENT OF INDIA

TELE:23092285

Copy to:-

1. All Ministries, Department of the Government of India,
2. Ministry of Home Affairs, IPS Division,
3. Ministry of Environment & Forest,
4. Establishment Officer, E.O Division, for information,
5. Joint Secretary (Training), Training Division.

[Enclosed, Letter No.11019/6/2001-AIS-III, dated 4th August, 2003 & 7th March, 2003 of the Government of India, Department of Personal & Training regarding "Delegation of Powers to the State Government / Central Ministries in cases of the Members of All India Services proceeding abroad on deputation or ex-India leave (Excluding Study Leave)]

No. AIS-1003/C.R.467/2003/X,
General Administration Department,
Mantralaya, Mumbai – 400 032.

Date :- 18th October, 2003.

Copy forwarded with compliments for information to :-

- 1] The Secretary to the Governor,
- 2] The Principal Secretary to the Chief Minister,
- 3] The Principal Secretary to the Deputy Chief Minister,
- 4] The Accountant General I & II, Mumbai, Nagpur,
- 5] The Additional Chief Secretary [Home], Home Department [200 copies]
- 6] The Additional Chief Secretary [Revenue], Revenue & Forests Department, [200 copies]
With the request to bring the content of this letter to the notice of all member of I.P.S. & I.F.S. respectively.
- 7] All other Principal Secretaries / Secretaries,
- 8] General Administration Department / Desk 1,9,9-A,10-A,11,11-A,12,12-A & 19,
- 9] All I.A.S. Officers [By name]
- 10] Select File,

Sd/-
[Vikas Kharage]
Deputy Secretary to the Government

No.11019/6/2001-AIS-III
Government of India
Ministry of Personnel P.G.& Pensions
(Deptt. of Personnel and Training)

New Delhi dated the 4th August, 2003.

To

The Chief Secretaries of all State Governments
and Union Territories Administration

Subject:- Delegation of powers to the State Governments/Central Ministries in cases of the members of All India Services proceeding abroad on deputation or ex-India leave(Excluding study leave)further clarification regarding.

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Sir,

In continuation of this Department's letter of even number dated 7th March, 2003 on the subject mentioned above, it is further clarified that the following points may also be taken into account-

- (i) It is clarified that for cases under para 2(a) i.e. private visits abroad, which are purely personal without any sponsorship and not linked to official visit, on leave due and admissible, whether casual leave, earned leave or leave on medical certificate, are not subject to any time limit. If the leave is admissible and due, whatever be the duration, the State Governments may sanction the same. The limit of 3 weeks mentioned in para 2(b) is only in case of private travel abroad in conjunction with the official tour abroad.
- (ii) It is also clarified that while the State Governments may sanction ex-India leave for private purposes in conjunction with official duty, provided the total period does not exceed 3 weeks, this will also be subject to the instruction issued by this Department's letter No.11019/13/93 dated 14.1.1994 (copy enclosed), that the number of days spent on private work does not exceed 50% of the number of days spent on official work.
- (iii) The other contents of this Department's letter of even number dated 7 March, 2003 will remain unchanged.

Yours faithfully,

Sd/-
(SANGEETA SINGH)
DIRECTOR (SERVICES)
T.No23093591

[Copy of letter No. 1 1019/13/93-AIS-III dated 14.1.1994 Government of India, Ministry of Personnel, P. G. & Pensions (Deptt. of Personnel & Training) addressed to the Chief Secretaries of all State Govts. and Union Territories.]

Subject:- All India Services (Leave) Rules, 1955 clarifications regarding grant of leave to members of the service on deputation abroad.

I am directed to refer to this Deptt's earlier letter No. 6/6/71-A 13.111, dated 11.1.1974 and the Ministry of Finance (Deptt. of Expd.) O.M.No. 19036/7115-E.IV(B), dated 8.5.1976 which have been extended in the case of All India Services Officers and No. 19036/7176/E.IV(B), dated 15.3.1978 in regard to the terms & conditions of deputation abroad of All India Services Officers.

A question has been raised in regard to the period of leave admissible to All India Services Officers on deputation when such leave is taken in conjunction with deputation (including training) abroad.

As per the existing provisions in the All India Services (Leave) Rules, 1955, there is no bar to an officer spending abroad a part or whole of the leave sanctioned to him by the competent authority as per these rules. However, restrictions have been imposed in regard to the amount of leave an officer can be granted while abroad, including training abroad, in conjunction with such deputation. Presently, it has been provided that an officer may, subject to the exigencies of public service, be granted leave while abroad for a period not exceeding 50 percent of the actual period of duty abroad (excluding the transit time and enforced halt) or for a fortnight, whichever is less, for personal reasons. It is made clear that cases of grant of leave in excess of this limit can be approved only in consultation with the Deptt. of Personnel & Trg. (Services Division). The above may please also brought to the notice of all members of the All India Services in your Cadre.

All cases, in which the State Government propose to send a member of an All India Service abroad on deputation or on leave due and admissible to him (including study leave) should be referred to the Department of Personnel in the case of members of the Indian Administrative Service, the Ministry of Home Affairs in the case of members of the Indian Police Service and the Ministry of Environment and Forests in the case of the members of the Indian Forest Service.

No. 11019/6/2001-AIS-III
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training
New Delhi, Dated the 7th March, 2003

To

The Chief Secretaries of all State Governments
and Union Territories Administration.

Subject:- Delegation of powers to the State Governments/Central Ministries in cases of the members of All India Services proceeding abroad on deputation or ex-India leave(Excluding study leave).

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Sir,

I am directed to say on the subject mentioned above that an Executive Instruction 'B' was issued by this Department (Letter No. 9/26/71-AIS-ILL) on 23.09.1972 under Regulation 12 of the AIS (Study Leave) Regulations, 1960 wherein it is provided that all cases, in which the State Government proposes to send a member of an All India Service abroad on deputation or on leave due and admissible to him (including study leave) should be referred to the respective Cadre Controlling Authority in the Government of India.

2. There has been demand for doing away with the aforementioned provision for Central Government's prior approval for grant of ex-India leave excluding study leave so as to avoid delay both at the level of the State Government and Central Government. After careful consideration, it has now been decided to modify the existing provision and stipulate that the approval of the Central Government for travel abroad of members of the All India Service is no longer required in the following cases to the extent provided therein:

- (a) In case of private visits abroad on leave due and admissible, the delegation is restricted to Casual leave, Earned leave and Leave on Medical Certificate.
- (b) AIS officers may be accorded permission to travel abroad in conjunction with an official visit/tour abroad subject to the condition that the total period abroad (including travel time) should not exceed three (3) weeks.
- (c) Official visits/Training/Tours/Study tours/Seminars/Workshops etc. abroad up to three (3) weeks duration where the entire expenses are borne by the Government of India, the State Government, an International Agency such as the United Nations Agency, World Bank, IMF, ADB etc. or an International Agency in which India is a member.
- (d) Project related visits as defined in the OM No. 37/15/97-EO(F) dated 05.03.1999, issued by the Office of the Establishment Officer, Department of Personnel and Training, Government of India.

3. While considering the requests of the member of an All India Service for grant of leave to proceed abroad, all the State Governments/Ministries to the Government of India are requested to satisfy themselves regarding the funding of such visits made by the officer concerned in each case and to see that no cadre officer accepts hospitality from a foreign government/private body other than a close relative.

4. It is further noted that the above delegation will not apply to any travel abroad in conjunction with leave granted under the provisions of the All India Service (Study Leave) Regulations, 1960, where the specific clearance of the Central Government is invariably

5. The following category of official visits/tours/study tours/seminars/workshops etc. abroad will continue to be referred to DOP&T for grant of cadre clearance:

- (i) all cases of more than three (3) weeks duration.
- (ii) all cases where the invitation is direct to the officer and the State Govt. is not bearing the expenditure, irrespective of the duration of the visit.
- (iii) all cases Where foreign hospitality from a private agency is involved.
- (iv) all cases where an officer is getting any remuneration/fees. for the work performed by him

6. The proposal should be sent in a self-contained format furnishing all the relevant details in the prescribed format (copy enclosed). In case, proposal is not in the prescribed format or information in respect of any item in the format is missing, no back reference will be made by this Department and cadre clearance will not be granted.

7. The proposal should be forwarded to DOP&T well in time i.e. at least before a fortnight from the date of commencement of the training/workshop etc.
8. To the extent possible, nomination of officers may be made for those seminars/workshops etc. which are related to the job/assignment of the officer.
9. In case where an officer proceeds for a training programme/workshop/seminar/study tour abroad without obtaining the cadre clearance of this Department there is likelihood that the period of his absence would be treated as dies-non.
10. It is requested that the provisions of this circular may be brought to the notice of all the members of All India Services serving with the State/Central Governments at an early date.

Yours faithfully,

Sd/-
(AQEEL AHMAD)
DEPUTY SECRETARY TO THE GOVERNMENT OF INDIA
TELE.NO. 23092285

PROFORMA FOR CADRE CLEARANCE OF IAS OFFICERS VISITING ABROAD

1. Name and designation of the officer
2. Date of birth
3. Details of the training programme/
workshop/seminar etc. with a copy
of the invitation/admission
 - (i) Name of the course/workshop/seminar etc.
 - (ii) Name of the institution/country
 - (iii) Duration
 - (iv) Details of the cost of the training/workshop/ Seminar
4. Expenditure
 - (i) Details of expenditure on the visit abroad
(including travel, hospitality etc.)
 - (ii) Source of funding
5. Agency that bears the cost of the training/
workshop/seminar
 - (i) Details of such cost
 - (ii) Details of the Agency
6. Service/cadre to which the officer belongs
7. Year of allotment to the cadre
8. Job description of the officer
9. Relevance of the training/workshop/seminar
to the job of the office
10. Whether the officer is clear from vigilance angle
11. Recommendation of the Cadre Controlling State
Government/Ministry
12. No objection/approval of Deptt. of Personnel &
Trg. will be subject to clearance by Ministry of
External Affairs from political angle, MHA in
FCRA and Ministry of Finance if need be from
Screening Committee etc.

आंतरराष्ट्रीय संस्थेने / विदेशी शासनाने रिक्त पदांच्या संदर्भात
दिलेल्या जाहिरातीनुसार अखिल भारतीय सेवेतील अधिका-यांनी
अर्ज सादर करण्याबाबत.

महाराष्ट्र शासन,
सामान्य प्रशासन विभाग,
क्र.डीईपी-११०१/प्र.क्र.३५९/२००१/दहा,
मंत्रालय, मुंबई-४०० ०३२.
दिनांक :- १२ जून, २००१

पहा :- शासन परिपत्रक, सामान्य प्रशासन विभाग, क्र. डीईपी - ११९५ / प्र.क्र.३५९ / ९५ / दहा, दिनांक
८.३.१९९६.

परिपत्रक

उपरोक्त दिनांक ८.३.१९९६ च्या परिपत्रकाव्यये असे कळविण्यात आले आहे की, विदेशी शासन/ संस्थाकडून विशिष्ट अधिका-यांसाठी थेट राज्य शासनाकडे किंवा संबंधित अधिका-यांकडे प्राप्त होणारी विदेश दौ-याची / विदेशी शिष्यवृत्तीची आमंत्रणे राज्य शासनाने सरळ सरळ ना-मंजूर करावयाची आहेत.

शासनाच्या आता असे निदर्शनास आले आहे की, अखिल भारतीय सेवेतील अधिकारी अंतर्भूत असलेल्या विदेश दौ-यांच्या काही प्रकरणांत मा.मुख्यमंत्र्यांच्या मान्यतेशिवायच संबंधित प्रशासकीय विभागांनी विदेश दौ-याचे प्रस्ताव मंजूर केले आहेत. या संदर्भात असे स्पष्ट करण्यात येत आहे की, अखिल भारतीय सेवेतील अधिकारी कोणत्याही कारणास्तव व कोणत्याही संस्थेत अथवा उपक्रमात कार्यरत असतांना जर ती सेवा राज्य शासनाच्या नियंत्रणाखालील असेल व त्या संस्थेवर / उपक्रमावर त्यांची नेमणूक राज्य शासनाकडून करण्यात आली असेल तर त्यांनी मा.मुख्यमंत्र्यांच्या परवानगीशिवाय विदेश दौ-यावर जाता कामा नये. मा.मुख्यमंत्र्यांच्या मान्यतेसाठी प्रस्ताव संबंधित प्रशासकीय विभागाने मुख्य सचिवांच्या मार्फत मा.मुख्यमंत्री यांना सादर करावेत.

विदेश दौ-याचे प्रस्ताव तपासतांना संबंधित प्रशासनिक विभागांनी व अखिल भारतीय सेवेतील अधिका-यांनी उपरोक्त सूचनांची काटेकोरपणे अमलबजावणी करावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

सही/-
(व्ही.रंगनाथन)
मुख्य सचिव, महाराष्ट्र शासन

प्रति,

१. मुख्यमंत्र्यांचे प्रधान सचिव,
२. उप मुख्यमंत्र्यांचे प्रधान सचिव,
३. सर्व मंत्री / राज्यमंत्री यांचे खाजगी सचिव,
४. अपर मुख्य सचिव (गृह), गृह विभाग, त्यांना विनंती करण्यात येते की, उपरोक्त परिपत्रक भारतीय पोलीस सेवेतील सर्व अधिका-यांच्या निदर्शनास आणण्यात यावे.
५. प्रधान सचिव (वने), महसूल व वन विभाग, त्यांना विनंती करण्यात येते की, उपरोक्त परिपत्रक भारतीय वन सेवेतील सर्व अधिका-यांच्या निदर्शनास आणण्यात यावे.
६. सर्व मंत्रालयीन विभाग,
७. सामान्य प्रशासन विभागातील सर्व कार्यासने,
८. भारतीय प्रशासन सेवेतील सर्व अधिकारी,
९. निवड नस्ती.

आंतरराष्ट्रीय संस्थेने / विदेशी शासनाने रिक्त पदांच्या संदर्भात दिलेल्या जाहिरातीनुसार अखिल भारतीय सेवेतील अधिकाऱ्यांनी अर्ज सादर करण्याबाबत...

महाराष्ट्र शासन
सामान्य प्रशासन विभाग,
क्र.डीईपी-११०१/प्र.क्र.३५९/२००१/दहा,
मंत्रालय, मुंबई - ४०० ०३२.
दिनांक :- १८ सप्टेंबर, २००१.

पहा :- शासन परिपत्रक, सामान्य प्रशासन विभाग, क्र. .डीईपी-११९५/प्र.क्र.३५९/९५/दहा,
दिनांक ८.३.१९९६.

परिपत्रक

विदेशी सेवेसंदर्भात केंद्र शासनाच्या कार्मिक व प्रशिक्षण विभागाकडील पत्र क्र.१८/१०/९१-एफए(यूएन) दिनांक २० जून, १९९१ अन्वये (प्रत सोबत ANNEXURE-I) दिलेल्या सुचनांनुसार, भारतीय प्रशासन सेवेतील अधिकाऱ्यांना आंतरराष्ट्रीय संस्थेने / विदेशी शासनाने रिक्त पदांच्या संदर्भात दिलेल्या खुल्या किंवा सार्वजनिक जाहिरातीस अनुसरून इच्छुक पदासाठी संवर्ग नियंत्रण प्राधिकाऱ्याच्या पूर्वानुमतीने अर्ज करण्यास परवानगी देण्यात आलेली आहे. तसेच, काही अपवादात्मक परिस्थितीत, जेव्हा अर्ज करण्यास अल्प कालावधी उपलब्ध असेल, तेव्हा अधिकारी संवर्ग नियंत्रण प्राधिकाऱ्याच्या मान्यतेच्या अधीन राहून इच्छुक पदासाठी संबंधीत आंतरराष्ट्रीय संस्थेकडे / विदेशी शासनाकडे परस्पर अर्ज करू शकतात. यासंदर्भात कार्मिक व प्रशिक्षण विभागाने क्रमांक १२/३३/२०००-एफए(यूएन), दिनांक १६ जानेवारी, २००१ अन्वये (प्रत सोबत ANNEXURE-II) सुधारित सूचना निर्गमित केल्या आहेत. त्यानुसार, संवर्ग नियंत्रक अधिकाऱ्याकडून पूर्व परवानगी घेऊन आंतरराष्ट्रीय संस्थेकडे / विदेशी शासनाकडे अर्ज करणे आवश्यक आहे. यासंदर्भात असे निदर्शनास आले आहे की, काही अधिकारी वरचेवर असे अर्ज संबंधितांकडे परस्पर करून त्या अर्जांची प्रत राज्य शासनाकडे मान्यतेस्तव तसेच, केंद्र शासनाकडून संवर्ग ना-हरकत प्रमाणपत्र प्राप्त करण्याच्या विनंतीसह पाठवित असतात. त्यांच्या या कृतीमुळे शासनाला अशा प्रत्येक अर्जावर वेळेअभावी कार्यवाही करणे फार अडचणीचे व त्रासदायक होते.

२. कार्मिक व प्रशिक्षण विभागाच्या दिनांक १६ जानेवारी, २००१ च्या सुधारित सूचना विचारात घेऊन आता असे स्पष्ट करण्यात येत आहे की, आंतरराष्ट्रीय संस्थेकडे / विदेशी शासनाकडे अर्ज करावयाचा झाल्यास राज्य शासनाची पूर्वपरवानगी घेणे अनिवार्य आहे. राज्य शासनाची पूर्वपरवानगी न घेता आंतरराष्ट्रीय संस्थेकडे / विदेशी शासनाकडे परस्पर अर्ज केल्यास सदर अर्जाचा मुलाखतीसाठी परवानगी व कार्मिक व प्रशिक्षण विभागाकडून संवर्ग ना-हरकत प्रमाणपत्र प्राप्त करणे इ. कार्यवाही करण्यासाठी राज्य शासनाकडून विचार करण्यात येणार नाही व अशी प्रकरणे सरळसरळ नामंजूर करण्यात येतील.

३. तरी, अखिल भारतीय सेवेतील सर्व अधिकाऱ्यांनी आंतरराष्ट्रीय संस्थेकडे / विदेशी शासनाकडे अर्ज करताना वरील सूचनांचे तंतोतंत पालन करावे. तसेच, सर्व मंत्रालयीन विभागांनी अशा अर्जांवर कार्यवाही करताना उपरोक्त सूचनांची काटेकोरपणे अंमलबजावणी करावी.

४. शासन परिपत्रक, सामान्य प्रशासन विभाग, क्र. .डीईपी-११९५/प्र.क्र.३५९/९५/दहा, दिनांक ८.३.१९९६ हे आता रद्द समजण्यात यावे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.

(बा.क.अग्रवाल)

अपर मुख्य सचिव(सेवा), महाराष्ट्र शासन

सोबत :

- १) कार्मिक व प्रशिक्षण विभागाकडील पत्र क्र.१८/१०/९१-एफए(यूएन) दिनांक २० जून, १९९१ (ANNEXURE-I)
- २) कार्मिक व प्रशिक्षण विभागाकडील पत्र क्र. १२/३३/२०००-एफए(यूएन), दिनांक १६ जानेवारी, २००१ (ANNEXURE-

प्रति,

१. राज्यपालांचे सचिव,
२. मुख्यमंत्र्यांचे प्रधान सचिव,
३. उप मुख्यमंत्र्यांचे प्रधान सचिव,
४. सर्व मंत्री/राज्यमंत्री यांचे खाजगी सचिव,
५. अपर मुख्य सचिव(गृह), गृह विभाग, त्यांना विनंती करण्यात येते की, उपरोक्त परिपत्रक भारतीय पोलीस सेवेतील सर्व अधिकाऱ्यांच्या निदर्शनास आणण्यात यावे.
६. प्रधान सचिव (वने), महसूल व वन विभाग, त्यांना विनंती करण्यात येते की, उपरोक्त परिपत्रक भारतीय वन सेवेतील सर्व अधिकाऱ्यांच्या निदर्शनास आणण्यात यावे.
७. सर्व मंत्रालयीन विभाग,
८. सामान्य प्रशासन विभाग/का.क्र.१,११,१२ व १२-अ,
९. भारतीय प्रशासन सेवेतील सर्व अधिकारी,
१०. निवड नस्ती.

No.F.18/10/91-FA[UN]
GOVERNMENT OF INDIA
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES & PENSIONS,
[DEPARTMENT OF PERSONNEL & TRAINING]

New Delhi, the June 20,1991.

To,
The Chief Secretaries of
All State Governments and Union Territories.

Subject :- Consolidated Instructions relating to Foreign Assignment of
Indian Experts.

Sir,

I am directed to say that in supersession of this Department's earlier instructions contained in letter No.1/10/87-FA[UN], dated the 29th of January, 1988, and all other letters on the subject, the following revised and comprehensive instructions will be operative from the date of issue.

2. DEPUTATION ON FOREIGN ASSIGNMENT :-

Deputation of Indian Experts on assignments abroad will be classified into the following categories :

- [a] Foreign posts of the Government of India [GOI] under the various Ministries of the Government.
- [b] Bilateral assignments to the developing countries of Asia, Africa and Latin America.
- [c] Captive posts of GOI in the international organisations where recruitment is limited to the Indian officials.
- [d] International assignments covering assignments to the UN and its agencies, other multinational organisation, the governments and public institutes in the oil-rich and developed countries.

3. FOREIGN POSTS OF GOI :

These include the posts in the Indian Missions abroad under the administrative control of the Ministries of Finance, Commerce etc. [other than the Ministry of External Affairs], the overseas offices of the Ministry of Tourism, Ministry of Civil Aviation & other Ministries, the Indian Investment Center and other similar public bodies.

3.1 Selection for these posts will be made through the Civil Services Board [CSB] according to the procedure prescribed for appointments under the Central Staffing Scheme of GOI in order to ensure equality of opportunity and fairness in the selection procedure.

3.2 The officers appointed to the posts would be allowed a tenure of 3 years [and this period will not count towards the ceiling prescribed for assignments under the international organisations].

4. BILATERAL ASSIGNMENTS TO THE DEVELOPING COUNTRIES :

These cover assignments under the ITEC [Indian Technical & Economic Cooperation] and other similar programmes and contract appointments in the Governments and para-statal organisations in the developing countries of Asia, Pacific, Africa and Latin America and remunerated by the concerned developing countries [as distinguished from the oil-rich and developed nations] according to their salary scales.

4.1 As far as possible, all organised recruitment of experts at graduate professional level and above for bilateral assignments should be on a Government-to-Government basis. In addition, individual officials may also secure such assignments by making applications in response to open advertisements by the Governments and para-statal organisations of the developing countries following the prescribed procedure; sometimes direct offers may also be received from these organisations by experts in recognition of their past work in the relevant areas.

4.2 Selection for assignments under the ITEC programme would be made per the scheme being operated by the Ministry of External Affairs and the Department of Personnel & Training. For these and other bilateral assignments on a Government-to-Government basis, the panel of experts maintained in the Department of Personnel & Training will be utilised for making selections. In addition, if necessary, suitable experts could be located in consultation with the relevant nodal Ministries and the State Governments.

5. CAPTIVE POSTS OF GOI IN THE INTERNATIONAL ORGANISATIONS :

These assignments include the posts of Executive Directors in the World Bank, the International Monetary Fund [IMF], the Asian Development Bank [ADB] etc., Advisors and Technical or Executive Assistants to the Executive Directors and other similar posts where recruitment is restricted to the Indian experts.

5.1 Selections for these posts would be made according to the procedure prescribed for appointments under the Central Staffing Scheme of GOI. However, the Tenure of these officials in the international organisations will be subject to the provisions relating to the ceiling on tenure, cooling off requirement etc. prescribed [in subsequent paragraphs] for international assignments.

6. INTERNATIONAL ASSIGNMENTS :

This category covers the assignments under the international organisations like the UN and its specialised agencies, the world Bank, IMF, ADB and the Commonwealth Secretariat including the Commonwealth Fund for Technical Cooperation [CFTC] and other multinational public institutions. Included in this category are also assignments to the Governments, para-statal organisations and public institutions like Universities, Research & Academic Institutes in the oil-rich and developed countries.

6.1 The details concerning the selection procedures and terms relating to appointments including ceiling on tenure, cooling off requirement etc. in respect of international assignments have been outlined in the paragraphs that follow. Whenever some of these terms are also applicable to other categories of foreign assignments, this has been indicated at the appropriate place.

7. TYPES OF INTERNATIONAL ASSIGNMENTS :

International assignments may be categorised by location and duration. As far as locations is concerned (i) there are posts at the Secretariat or headquarters of an international organisation which are subject to the country-quota restrictions. These may include key positions or posts of critical importance, which the Government would like its official nominee to hold. In case of a specific vacancy, the Govt. would field the most suitable candidates who in their view has a good chance of being finally selected for the post. (ii) Most international assignments are, however, project-related field jobs, operated in the developing countries under the auspices of the international organisations. These are professional jobs and final selection is usually made by the host country government in consultation with the international agency. There is a quota system governing these assignments, but the candidates are screened at various stages and selections are made on the basis of their professional qualifications and experience. The Government would, therefore, encourage the experts in various fields to apply for and secure these jobs by adopting a liberal approach.

7.1 From the point of view of duration, the assignments can be classified as [a] long-term jobs which are more than three months [90 days] in duration, and [b] short-term consultancies with duration of three months [90 days] or less.

8. METHOD OF SELECTION AND RELATED MATTERS :

The primary criterion for permitting a government employee to undertake and assignments would be the convenience of the Government in sparing him from the point of view of the management of the service cadre to which he belongs and exigency of public service.

8.1 Subject to this overall condition, the Government and public sector employees may secure international and bilateral assignments through any of the following methods :-

- (i) nomination by the Government;
- (ii) direct offer from an international, organs/foreign government, due to past work;
- (iii) application made in response to open advertisement following the prescribed procedure; and
- (iv) by being picked up from the roster of an international organisation.

8.2 The Department of Personnel & Training, the cadre controlling authority of various service cadres and the nodal Ministries for the international organisations will deal with various aspects relating to the nominations, selection and appointment of the government employees to posts under the international agencies and foreign

governments. Each international agency is dealt with by a nodal Ministry for instance the Ministry of Labour looks after the International Labour Organisation [ILO], the Ministry of Health liaises with the World Health Organisation and the like.

8.3 NOMINATIONS BY THE GOVERNMENT :

The Government may nominate suitable and qualified officers for posts under the international organisations or foreign governments under any of the following circumstances:-

- [a] vacancy notices or requests are received by the Government (nodal ministries and/or the Department of Personnel & Training.
- [b] information regarding the possible vacancies and the details of the posts are made available by the Indian Missions abroad, individual officers and other sources including open advertisements and the Government decides to field candidates and
- [c] the nodal Ministry / the Department of Personnel & Training identifies key or important posts in the international organisations with a view to making nominations.

8.4 It would not be necessary for the Government to make nomination in respect of all the posts for which information or vacancy notices are received from time to time. The nodal Ministry / the Department of Personnel & Training may decide the specific vacancy (ies) for which the Government would nominate its officers keeping in view the nature and importance of the post(s), the expertise available in the country and other related considerations. However, when an officer is nominated for a specific international assignment, he would be treated as the “official nominee” and the Government may use its available sources, including the diplomatic channel, for canvassing support for his candidature.

8.5 Broad-based selection procedures would be adopted for identifying the best and most suitable candidate (s) for nomination. When a nodal Ministry receives vacancy notice or details of the posts for which it is decided to nominate Indian experts, it would expeditiously circulate the same to all the relevant Departments and agencies of GOI and the State Governments inviting suitable nominations. A copy of the vacancy circular or notice containing the details of the post should also be endorsed to the Department of Personnel & Training (Foreign Assignment Section), which may suggest candidates from out of the panel of experts maintained by them and / or from among the members of the organised services under their administrative control including those on Central Deputation.

8.6 The nodal Ministries will finalise the nominations for (i) the posts upto and including P-4 level in the Secretariat or headquarters of an international organisation, and (ii) upto and including P-5 level in the project-related field jobs. In its task, the nodal Ministry will be assisted by a Foreign Assignment Selection Committee [FASC] which would screen the applications received and suggest a name or a panel of names. The FASC in each nodal Ministry will include among others the representative of the Ministry and the Establishment Officer to the GOI or his representative. The nodal Ministry, will obtain cadre clearance from the concerned cadre controlling authorities before forwarding the name (s) to the international agency. The clearance of the Establishment Officer to the GOI would also be required if the officer concerned is working in a post under the Central Staffing Scheme.

8.7 Applications or nominations in respect of the (a) posts of P-5 level and above in the secretariat of an international organisation, and (b) all other posts above the P-5 level would be forwarded by the nodal Ministry concerned to the Department of Personnel & Training [Office of the Establishment Officer] which would screen the applications and submit these to the Civil Services Board [CSB] / Cabinet Secretary for final selection. Thereafter, nomination would be sent to the concerned international organisations.

8.8 Apart from the nodal Ministries, the Department of Personnel & Training may, when the time available for making nominations to an international agency is short or in other special circumstance, obtain applications / nominations from the concerned agencies in the Central and State Governments and make appropriate recommendations with the approval of the competent authorities.

8.9 The Government may nominate an officer or a panel of names for a vacancy in an international organisation depending on the circumstances of each case. However, in respect of the vacancies identified as (a) key or important posts and (b) the posts considered to be of critical importance, the Government would nominate the best candidate available (as he has to compete with the nationals of other countries) rather than a panel of names. Since the objective is to secure the key international assignment for the Indian experts, all qualified officers including those who have been on foreign assignment earlier would be considered for nomination, subject, however, to the condition that those who have completed the maximum period [ceiling] prescribed for international assignment would be required to resign/seek retirement from Government Service on selection for the assignment.

8.10 Direct offers : In case of an offer of assignment by an international agency or friendly foreign government directly to a Government employee due to his past work or expertise, the expert has to take cadre clearance from the cadre controlling authority as well as from the Department of Personnel & Training before accepting the offer,

8.11 Application against Open Advertisement : The Government employees may apply in response to the open or public advertisement of vacancies by the international organisations and foreign Governments with the prior permission of the cadre controlling authority concerned. In rare cases, when the time available for submitting the application is short, an officer may send his application to the concerned agency in advance with a copy to his cadre controlling authority and this may be confirmed or withdrawn subsequently depending on the decision of the authority. The cadre controlling authorities would consider each case only from the point of view of whether the officer could be spared or not; no other general considerations should be applied in taking a decision in the case. An officer may be permitted to apply in response to a public advertisement even if he has completed the permitted number of years he can spend in international assignment in his career. However, in such a case, he would have to resign or take retirement from Government service on selection. A Government employee applying for an international assignment in response to public advertisement will not be given the status of "official nominee" for the assignment. Correspondence relating to the grant or denial of permission will be between the officer concerned and the cadre controlling authority/Government and latter will not correspond with the international organisation on the subject.

8.12 Registration on the Rosters maintained by International Organisation :

The Government employees may register their names in the rosters maintain by the international organisations by sending their applications directly to the concerned international agency, keeping their cadre controlling authorities and the relevant nodal Ministries informed. Cadre clearance would be sought when the international agency checks on the availability of the officer for a specific assignment. To cut down on the response time in respect of the vacancies circulated by the international organisations, the nodal Ministries may also maintain panels of experts.

8.13 Foreign Assignment Panels of the Department Personnel & Training :

The Department of Personnel & Training maintains 2 data banks of Indian experts comprising (i) the panel for bilateral assignments including those under the ITEC and similar programmes, and (ii) the list of expert in various disciplines interested in international assignments. Applications for registration in the panel for bilateral assignments are invited from Indian nationals both in Government and outside in a prescribed form which is available for sale in the sales depots in the Publication Division of the Government of India. The applications received are processed and the data stored in computer. The experts are registered in order of seniority based on the date of receipt of the valid application forms in the Department of Personnel & Training and nominations are made strictly in order of seniority and suitability. The registration remains valid for a period for 3 years. Applications for registration should invariably be forwarded through proper channel and the forwarding authorities clearly recommend the applications for registration. This would mean that if selected the employer would relieve the experts concerned for taking up the assignment.

8.14 For registering experts for international assignments, application are invited in the prescribed form available in the Department of Personnel & Training from government employees and executives of the public sector enterprises and other government and semi-government organisations. These applications are to be forwarded with a clear recommendation by the concerned employers. Valid applications are registered under various categories of specialisation to which applicants belong. When a request for assignment is received, experts registered under the relevant fields are recommended according to their seniority of registration and also on the basis of their suitability in the specific jobs.

9. CEILING OF DURATION OF ASSIGNMENT :

An officer may be permitted to remain on long-term assignments adding upto the maximum of five years during the first twenty-five years of his service. Beyond 25 years of service, there would be no ceiling. However, at that stage when an officer completes two years [24 months] of long-term assignment undertaken either in one spell or in installments he would not be considered for empanelment for posts of Joint Secretary and equivalent under the Central Staffing Scheme for a period of 2 years upon his return from the assignment; in the case of an officer eligible to be empanelled as Additional Secretary / Secretary or equivalent, the corresponding period would be one year. If, However, an officer is on a long-term assignment at the time of completing 25 years of service, he has to undergo the required cooling off period [two years] at the end of that assignment; and only thereafter he will be eligible

to take up another long term assignment, which will be exempted from the ceiling prescribed for such assignments.

9.1 The provisions relating to the ceiling on deputation of assignment would be applicable to international assignments and the captive posts of GOI in the international organisations but not to the foreign posts of GOI, bilateral assignments to the developing countries and the U.N. Volunteers.

9.2 over and above the five-year ceiling mentioned above, an officer may be allowed to undertake short-term consultancies for an international organisation or foreign Government upto a maximum of twenty five [25] months, during his entire career. None of these assignments would exceed three months [90 days] during a calendar year, provided further that the administrative Department/Ministry under which he is working is in a positing to spare his services without any substitute being posted in his place.

10. COOLING OFF REQUIREMENT :

An officer returning from a foreign assignment exceeding 180 days would not be eligible to go for a long-term assignment for a period of two years.

11. PRESCRIBED LEVELS FOR NOMINATIONS :

The United Nation and its specialised agencies as well as other international organisations generally indicate the salary level of the post at the time of the announcement of the vacancy. It has been decided that for the posts in the secretariat of an international organisation, some correspondence between the ranks of the officers of the Government with the salary levels in the international agency would be ensured at the time of making nominations. For the project-related field assignments, however, such correspondence would not be insisted upon as the levels for these assignments are usually flexible and the salary and other terms are negotiable depending on the experience and seniority of the officer/expert. In order to guide the Ministries and Departments of the GOI in this area various criteria have been indicated in the ANNEX which would be observed while determining the categories of officers to be considered for different levels of posts in the secretariat of the UN, its specialised Agencies and other international organisations.

12. RESTRICTIONS ON OFFICERS DEALING WITH INTERNATIONAL ORGANISATIONS IN OFFICIAL CAPACITY :

The officers in a nodal Ministry of GOI / Office of the Head of Department / Attached and Subordinate offices of the Government / Indian Missions abroad who are directly dealing with an international organisation in a coordinating or nodal capacity shall not be allowed to take up assignments in the secretariat of the concerned organisation for a period of two years after they have relinquished charge of their posts. At the same time, however in very exceptional cases where a post at the headquarters / secretariat of an international agency is considered to be a key post or a post of critical importance and the Government feels that a particular officer though dealing with the organisation is the most suitable and qualified and is likely to be accepted, the officer may be nominated for the post with the recommendation of the

Civil Services Board [CSB] / Cabinet Secretary and approval of the Prime Minister. Those assignments would typically include very high level posts in the international organisations, some of which are primarily filled through election or on consideration of regional representation or very high level of expertise.

12.1 The Government policy has always been that its officers should not lobby for international assignments. Serious view would be taken and appropriate action initiated against the officers and members of the official Indian delegations to international conferences, who indulge in canvassing or lobbying for posts in the international organisations with which they have official dealings.

13. CADRE CLEARANCE :

In all cases of foreign assignments, cadre clearance from the cadre controlling authority is to be obtained before an officer proceeds on the assignment. For the officers working in the posts under the Central Staffing Scheme, clearance of the Department of Personnel and Training [Establishment Officer to GOI] would also be required. The sole criterion for giving them clearance would be whether the officer under consideration can be spared from the point of view of management of the cadre or of exigencies of public service, subject of course, to the provisions regarding ceiling on duration of foreign assignment, cooling off requirements etc. Laid down in this letter. No other general consideration [like the period of an officer's absence from the cadre etc.] would be relevant to giving such clearance.

13.1 In cases where the Government nominates an officer for a specific vacancy, cadre clearance should be given at the time of nomination. In all other cases, this will be obtained when a communication is received from the international organisation, foreign government that the officer concerned is being considered for appointment or that a tentative decision has been taken to make him an offer of appointment.

13.2 In respect of the employees working under the State Governments or their undertakings, the State Governments are empowered to decide whether to permit the expert or to accept foreign assignment or not. Matters such as retention of their lien and protection of their seniority in service will also be decided by them in accordance with the service rules applicable to these experts.

14. GENERAL GUIDELINES :

In the preceding paragraphs, the responsibilities of the various nodal Ministries, the cadre controlling authorities and the Department of Personnel & Training have been outlined. The cadre controlling authorities of the various services of the Government of India and the State Governments will mainly be responsible to ensure that the officers under their control apply for and secure foreign assignments strictly according to these guidelines. They will maintain data relating to the periods spent by these officers on foreign assignments and enforce the provisions relating to the ceiling prescribed for such assignments, cooling off requirement etc.

14.1 While the cadre controlling authorities and the nodal Ministries and Departments are competent to give various clearances as per these guidelines, any deviation proposed to be made therefrom would require prior consultation and clearance from the Department of personnel and Training.

14.2 If a nodal or administrative Ministry / Department is of the view that any category of expertise should be declared as “scarce” by the Government of India so as not to permit an easy exit of the Indian experts in that field for foreign assignment, it should send suitable proposals to the Department of Personnel & Training who would issue appropriate orders in this regard. When an Indian expert proposes to take up assignment abroad in any of the categories declared as “scarce”, he would have to obtain a “No Objection Certificate” from the relevant administrative Ministry of the Government of India before taking up the assignment.

14.3 The persons deputed to the UN agencies and other international organisations or those on bilateral assignments may resign from service without returning to India and to their parent department if they choose to continue on foreign assignment beyond the permissible period. The Government personnel deputed on ITEC assignment cannot resign while serving abroad as the Government of India in the Ministry of External Affairs bears the salary and other expenses of such persons.

14.4 No person who -

- [i] is on assignments under the Indian Technical and Economic Cooperation [ITEC] Programme of the Ministry of External Affairs and other Aid Programmes ;
- [ii] is posted abroad in a foreign based office of a Ministry / Department;
- [iii] goes on a specific contract assignment to foreign government.

should be allowed to retire voluntarily unless, after having been transferred to India, he has resumed the charge of the post in India and served for a period of not less than one year. This restriction will, however, not be applicable in case of officers who are on deputation to the UN / International organisation.

14.5 Since deputation of Indian officials abroad contributes to mutual good will and understanding between India and the foreign country concerned, it would be largely in the public interest, if, as a rule the lien of Government employee and public sector employee selected for a foreign assignment is retained.

14.6 The State Governments are advised that their employees may be released for service abroad on foreign service terms in the public interest, after retaining the applicant's lien protecting his seniority. However, the State Government may allow their employees to go abroad in accordance with the rules which are enforced and applicable to the employees.

14.7 This order will take effect from the date of issue. All those who are on foreign assignment at present shall be governed by the provisions of this order in respect of the proposals for extension of their tenure of deputation etc.

14.8 All questions or doubts relating to interpretation of the instructions will be decided by the Department of Personnel and Training.

14.9 Hindi version of this letter will follow.

Sd/-
[NIIMADHAB MOHANTY]
ESTABLISHMENT OFFICER AND ADDITIONAL
SECRETARY TO THE GOVERNMENT OF INDIA

LEVEL OF OFFICERS TO BE CONSIDERED FOR THE POSTS UNDER UNITED NATIONS
AND ITS ALLIED ORGANISATIONS

Level/Posts Level of the post/Salary scale of Indian Experts eligible.

- D.1** More than 17 years of IAS or equivalent service without any upper limit. Technical and other officers who could be equated with Joint Secretaries or above to the Government of India. In other cases officers drawing more than Rs.5900-6700/p.m.
- P.5** Officers between 14 and 17 years of IAS or equivalent service. Technical or other officers who could be equated with Directors in the Government of India. In other cases, officers drawing Rs.4500-5700/- p.m.
- P.4** Officers between 9 to 14 years of IAS or equivalent service. Technical and other officers who could be equated with Deputy Secretaries of Government of India. In other cases, officers drawing between Rs.3700-5000/-p.m.
- P.3** Officers between 6 to 9 years of IAS or equivalent service. Technical and other officers who may be equated with Under Secretaries of Government of India. In other cases, officers drawing between Rs.3000-4500/-p.m.
- P.2** Officers between 4 to 6 years of IAS or equivalent service. Technical and other officers who may be equated with Junior Under Secretaries of Government of India. In other cases, officers drawing upto Rs.3000/- p.m.
- P.1** Officers upto 3 years of IAS or equivalent service. Technical and other officers who may be equated with Attaches/Registrars/Section Officers.

Pay Scales

Joint Secretary	:	Rs.5900 - 6700
Director including Selection Grade	:	Rs.4600 - 5700
Deputy Secretary	:	Rs.3700 - 5000
Under Secretary	:	Rs.3000 - 4500
Below upto	:	Rs.3000/-

No.12/33/2000-FA[UN]
Government of India
Department of Personnel and Training

New Delhi, dated 16th January, 2001

To

The Chief Secretaries of all State Governments and
Chief Secretaries/Administrators of Union Territories

Subject :- Consolidated Instructions on Foreign Assignment of Indian Experts - Foreign Assignment / Consultancy Assignment - Acceptance of - Regarding.

Sir,

I am directed to say that the Consolidated Instructions governing the acceptance/ taking up of foreign assignments by Indian Experts were issued by this Department vide its letter No.18/10/91-FA[UN] dated 20.6.1991. Though, the instructions are comprehensive, yet clarifications on certain points are sought by different quarters from time to time. Some of the important aspects of the Consolidated Instructions are brought to the notice of all concerned as under :-

- [i] As provided in para 8.11 of the Consolidated Instructions, a Government servant may apply in response to open or public advertisement. Such Government servants are required to seek prior permission of the cadre controlling authority concerned before submitting the applications. However, in exceptional cases, where the time left for submission of the applications is very short, the Government Servant may apply directly under intimation to and seeking cadre clearance/permission of the competent authority. Such applications can be submitted in response to the posts advertised by United Nations and its Allied Organisations and Inter Governmental Organisations.
The Government Servants who have submitted their applications in response to a post advertised by International NGO's should not proceed further in attending interviews etc. Unless specific permission is sought from and granted by the cadre controlling authority.
- [ii] In terms of para 9.1 of the Consolidated Instructions, the Government servants can take up long term assignments up to a maximum period of 5 years during the first twenty five [25] years of service. Beyond 25 years of service [on the date of commencement of the assignments] there would be no ceiling. In between two long term assignments [beyond 180 days] the condition of colling off for two years shall apply. The usual conditions of manadatory service in the cadre before empanelment for Central deputation etc. Shall also apply.
- [iii] In terms of para 9.2 of the Consolidated Instructions, a Government servant can also take up short term consultancies for International Organisations etc upto a maximum period of 25 months during his/her entire service but none of these consultancies / assignments shall exceed 90 days in a calender year, and such assignments can be permitted only

if the administrative Ministry / Department in which he is working is in a position to spare his services without any substitute being posted in his place. The officer shall be required to take leave of the kind due and admissible [other than extra ordinary leave] during such consultancies / assignments. The amount of honorarium, if any, received by him will be regulated in accordance with the instructions contained in DP&AR O.M No. 16013/1/79-Estt. [Allowances] dated 11.2.80 as amended from time to time, the last being vide O.M No.16013/1/93-Estt. [Allowances] dated 21.1.1998. [Reproduced as GOI Decision No.8 below FR. 111]

- [iv] Foreign assignment / consultancy assignment is not permissible in continuation of study leave or training or on leave sanctioned for some other specific purpose.**
- [v] The Officers who are on Central deputation under the Central Staffing Scheme or otherwise, in the event of their selection for foreign assignments [other than to a foreign or captive post to which the officer is appointed or deputed by the Government] shall have to seek, with the approval of the ACC, repatriation to their parent cadre and they will proceed on foreign assignment from their cadre and the cadre authority shall monitor the timely payment of pension / leave salary payment contributions, GPF contributions, CGEIS contributions and all other Government recoveries.**
- [vi] Officers should not proceed on any foreign assignment or consultancy assignment without specific permission of the competent authority. They also should not undertake assignments under the presumption / anticipation of the permission of the competent authority, on the premise that the application etc was forwarded with the permission of the cadre controlling authority/ competent authority.**

Yours faithfully,

Sd/-

[UPMA SRIVASTAVA]
DEPUTY SECRETARY TO THE GOVT. OF INDIA.

[Enclosed letter no.25014/10/2001-AIS[II], dated 15th May, 2001 from Government of India, Department of Personnel and Training, North Block, New Delhi, regarding Deputation of All India Services Officers on Foreign Service with United Nations Bodies - Participation in the U.N.Pension Fund Scheme.]

No.DEP-1101/C.R.186/2001/X,
General Administration Department,
Mantralaya, Mumbai - 400 032.
Date :- **19.7.2001.**

Copy for information & guidance to :-

- 1] The Accountant General , Maharashtra [I & II], Mumbai, Nagpur,
- 2] The Additional Chief Secretary [Home], Home Department,
Mantralaya, Mumbai,
- 3] The Principal Secretary [Forests], Revenue & Forest Department,
Mantralaya, Mumbai,
- 4] The Under Secretary, General Administration Department, Desk
XII-A,

With the request that contents of the above letter may be brought to the
notice of all Administrative Departments of Mantralaya+a.

- 5] The Accounts Officer, G.A.D., Desk IX-A,
- 6] The Desk Officer, G.A.D., Desk IX,
- 7] Select File.

[M.S.Pawar]
Under Secretary to Government.

Copy for information :-

All I.A.S Officers from Maharashtra Cadre [By Name]

[M.S.Pawar]
Under Secretary to Government.

No.25014/10/2001-AIS[II]
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

New Delhi, the 15 May, 2001

To

The Chief Secretary
All State Governments and Uts.

Subject :- Deputation of All India Services officers on Foreign
Service with United Nations Bodies - Participation in the
U.N. Pension Fund Scheme.

Sir,

I am directed to state that consequent upon the replacement of the Foreign Exchange Regulation Act, 1973 by the Foreign Exchange Management Act, 1999, the Central Government has amended provisions regarding payment of pension to the Government servants receivable from the U.N. Pension Fund vide this Department's OM No.1/3/95/Estt.(Pay-II) dated 30th March, 2001, a copy of which is enclosed. It has been decided that the provisions of the aforesaid OM shall also apply to the Members of the All India Services Mutatis - Mutandis.

Yours faithfully

Sd/-
[Smita Nagaraj]
Director[S]

No.1/3/95/Estt. (Pay II)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

New Delhi, Dated the 30th March, 2001

OFFICE MEMORANDUM

Subject : Deputation of Central Government servants on Foreign Service with UN Bodies - Participation In the UN Pension Fund Scheme-.

The undersigned is directed to invite a reference to the **MoF OM No. FI (16) E.III (B)/ 66 dated 5th November, 1966, on the above subject.** It has, *inter alia* been stated therein that in the cases of officers who rejoin Govt., on the expiry of the foreign service with UN organizations, the retirement benefits sanctioned by the UN will not be payable concurrently with the salary from the Govt. but will be credited to the revenues of the Govt. under intimations to the Accounts officer in the case of gazetted officers and to the head of the department in case of non - gazetted officers, so that a note could be kept in the service records of the officers concerned of the amount received from the UN authorities etc. This amount is to be paid to the officer concerned along with his other pensionary benefits when he finally retires from the service of the Govt.

2. The above provision in effect implies that such Govt. Servants would have to convert retirement benefits receivable from UN into rupees and then deposit to the revenues of the Govt. Under the relevant Head of account.

3. The Foreign Exchange Regulation Act, 1973, has since been replaced by the Foreign Exchange Management Act, 1999 [FEMA]. FEMA has come into force on 1st June, 2000. Under the liberalized FEMA and the rules and regulations made under it, a person resident in India, may open, hold and maintain with an authorised dealer in India a Resident Foreign Currency Account [RFC] out of foreign exchange received as pension or any other superannuating benefit or other monetary benefits from his employer outside India.

4. The question of amending the existing instructions referred to in para 1 above has been considered by the Government in consultation with Ministry of Finance. In the light of the provisions of FEMA, it has been decided to allow such a government servant at his option, to open a RFC account with an authorized dealer in India and deposit the pension or any other superannuation benefit received from the UN etc., in the RFC account.

5. The MoF OM No. FI (16) E.III (B)/ 66 dated 5th November, 1966, may therefore be treated as amended accordingly. Other conditions stipulated therein will remain unchanged.

6. In so far as application of these orders to the officers of India Audit & Accounts department is concerned, these orders issue in consultation with the Comptroller and Auditor General of India.

7. Hindi version will follow.

Sd/-
[J.WILSON]
Deputy Secretary to the Government of India

अखिल भारतीय सेवेतील अधिका-यांच्या
विदेश दौ-याबाबत.

महाराष्ट्र शासन,
सामान्य प्रशासन विभाग,
क्र.टीआरएन-११०१/प्र.क्र.१५८/२००१/दहा,
मंत्रालय, मुंबई-४०० ०३२.
दिनांक :- १२ जून, २००१

पहा :- शासन परिपत्रक, सामान्य प्रशासन विभाग, क्र.टीआरएन-११९५/प्र.क्र.६/९५/दहा, दिनांक
२०.१.१९९५.

परिपत्रक

उपरोक्त दिनांक २०.१.१९९५ च्या परिपत्रकान्वये असे कळविण्यात आले आहे की, विदेशी शासन/ संस्थाकडून विशिष्ट अधिका-यांसाठी थेट राज्य शासनाकडे किंवा संबंधित अधिका-यांकडे प्राप्त होणारी विदेश दौ-याची / विदेशी शिष्यवृत्तीची आमंत्रणे राज्य शासनाने सरळ सरळ ना-मंजूर करावयाची आहेत.

शासनाच्या आता असे निदर्शनास आले आहे की, अखिल भारतीय सेवेतील अधिकारी अंतर्भूत असलेल्या विदेश दौ-यांच्या काही प्रकरणांत मा.मुख्यमंत्र्यांच्या मान्यतेशिवायच संबंधित प्रशासकीय विभागांनी विदेश दौ-याचे प्रस्ताव मंजूर केले आहेत. या संदर्भात असे स्पष्ट करण्यात येत आहे की, अखिल भारतीय सेवेतील अधिकारी कोणत्याही कारणास्तव व कोणत्याही संस्थेत अथवा उपक्रमात कार्यरत असतांना जर ती सेवा राज्य शासनाच्या नियंत्रणाखालील असेल व त्या संस्थेवर / उपक्रमावर त्यांची नेमणूक राज्य शासनाकडून करण्यात आली असेल तर त्यांनी मा.मुख्यमंत्र्यांच्या परवानगीशिवाय विदेश दौ-यावर जाता कामा नये. मा.मुख्यमंत्र्यांच्या मान्यतेसाठी प्रस्ताव संबंधित प्रशासकीय विभागाने मुख्य सचिवांच्या मार्फत मा.मुख्यमंत्री यांना सादर करावेत.

विदेश दौ-याचे प्रस्ताव तपासतांना संबंधित प्रशासनिक विभागानी व अखिल भारतीय सेवेतील अधिका-यांनी उपरोक्त सूचनांची काटेकोरपणे अंमलबजावणी करावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

(व्ही.रंगनाथन)

मुख्य सचिव, महाराष्ट्र शासन

प्रति,

१. मुख्यमंत्र्यांचे प्रधान सचिव,
२. उप मुख्यमंत्र्यांचे प्रधान सचिव,
३. सर्व मंत्री / राज्यमंत्री यांचे खाजगी सचिव,
४. अपर मुख्य सचिव (गृह), गृह विभाग, त्यांना विनंती करण्यात येते की, उपरोक्त परिपत्रक भारतीय पोलीस सेवेतील सर्व अधिका-यांच्या निदर्शनास आणण्यात यावे.
५. प्रधान सचिव (वने), महसूल व वन विभाग, त्यांना विनंती करण्यात येते की, उपरोक्त परिपत्रक भारतीय वन सेवेतील सर्व अधिका-यांच्या निदर्शनास आणण्यात यावे.
६. सर्व मंत्रालयीन विभाग,
७. सामान्य प्रशासन विभागातील सर्व कार्यासने,
८. भारतीय प्रशासन सेवेतील सर्व अधिकारी,
९. निवड नस्ती.